



Attorney General Becerra Sues Nursing Home Chain for Misrepresenting its Quality of Care and Putting Seniors, People with Disabilities at Risk

Monday, March 15, 2021

Today's lawsuit pertains to Brookdale's current and former California skilled nursing facilities located in the cities of Bakersfield, Camarillo, Carlsbad, Northridge, Rancho Mirage, San Diego, San Dimas, San Juan Capistrano, Santa Rosa, and Yorba Linda

SACRAMENTO – California Attorney General Xavier Becerra today joined a coalition of District and City Attorneys, led by Kern County District Attorney Cynthia Zimmer, in filing a lawsuit against Tennessee-based Brookdale Senior Living, Inc. (Brookdale), the nation's largest senior living operator. Today's lawsuit, which concerns Brookdale's ten California skilled nursing facilities, alleges that Brookdale ignored laws that protect patients' safety when they are discharged from a facility. The lawsuit also alleges that Brookdale gave false information to the Centers for Medicare & Medicaid (CMS), information which CMS uses to award "star ratings" to skilled nursing facilities so that consumers can choose a quality facility. By lying to CMS, Brookdale fraudulently increased its star rating in several categories to attract prospective patients and their families.

"We are holding Brookdale accountable for artificially increasing its profits by cutting corners when transferring or discharging its patients. It lured individuals to its facilities through false promises about providing the highest quality care," said Attorney General Becerra. "Choosing a skilled nursing facility is no simple task. Seniors, people with disabilities and their families rely heavily on accurate data to make that decision. Californians have been directly impacted by Brookdale's behavior. We will ensure that they face consequences for violating the public's trust."

"Residents of Skilled Nursing facilities are often our mothers, our fathers, and our grandparents who are facing challenging times in their lives. Rules designed to protect nursing facility residents must be followed to ensure the dignity, respect, and compassion that residents deserve," said Kern County District Attorney Cynthia Zimmer. "When companies fail to comply with these rules, they create environments that subject the most vulnerable among us to unnecessary victimization, stress, and even physical harm. This case seeks accountability for offenders and is a reminder to all skilled nursing facilities of the importance of following rules designed to ensure the protection of vulnerable residents."

"Protecting the elderly and disabled is one of the highest priorities for the Santa Cruz County District Attorney's Office," said Santa Cruz County District Attorney Jeffrey Rosell. "This action will ensure that the most vulnerable members of our community are protected. Participating in this case is part of our ongoing efforts to hold skilled nursing facilities and their owners accountable."

"Skilled nursing homes are responsible for protecting and serving our most vulnerable populations," said Alameda County District Attorney Nancy O'Malley. "My Office will always join in the effort to prevent fraud and damaging practices that cause significant harm to the residents of these facilities."

"Coming in the wake of the settlement we just announced in a major case against a different nursing home—alleging unlawful discharge of patients during COVID, and patient neglect—this action underscores that we're deeply committed to the safety and protection of these patients," said Los Angeles City Attorney Mike Feuer. "They could be our parents or grandparents. Today, prosecutors up and down the state emphasize we'll hold nursing home operators accountable for how they treat their patients, who are more vulnerable than ever during the pandemic."

The lawsuit alleges that Brookdale failed to properly notify its patients and families of transfers and discharges. Skilled nursing facilities are required to give notice of transfer or discharge at least 30 days in advance, or as soon as practicable. Brookdale failed to timely provide this required notice to its patients, with a copy to the local ombudsmen. Brookdale also failed to properly prepare its patients for transfer or discharge. As a result of these actions, Brookdale endangered the health of its patients and also left families scrambling to find other places to care for their loved ones.

The lawsuit also alleges that Brookdale misrepresented the quality of its care to the public by reporting false information to CMS. As a means of helping the public to choose a skilled nursing facility, CMS rates facilities on several quality measures on a scale of one to five stars, which are then posted to the CMS website. The lawsuit alleges that Brookdale over-reported its nursing staffing hours to CMS, and by doing so, Brookdale was awarded undeserved four-and five-star ratings. In the lawsuit, the coalition argues that by engaging in these unfair business practices, Brookdale violated both the Unfair Competition Law and False Advertising Law.


SOURCE: <https://oag.ca.gov/news/press-releases/attorney-general-becerra-sues-nursing-home-chain-misrepresenting-its-quality>

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INSIDE MEDICARE —

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A COVID-19 vaccine helps reduce the risk of illness from COVID-19 by working with the body's natural defenses to safely develop protection (immunity) to the virus

Medicare Part B (Medical Insurance) covers [FDA-approved COVID-19 vaccines](#).

You pay nothing for this vaccine.

Medicare also covers [COVID-19 tests](#), [COVID-19 antibody tests](#), and [COVID-19 monoclonal antibody treatments](#).

Things to know

Be alert for scammers.

Medicare covers the vaccine at no cost to you.

Here's what to know:

- You can't pay to put your name on a list to get the vaccine.
- You can't pay to get early access to a vaccine.
- Don't share your personal or financial information if someone calls, texts, or emails you promising access to the vaccine for a fee.

SOURCE: https://www.medicare.gov/coverage/coronavirus-disease-2019-covid-19-vaccine?utm_campaign=20210112_cvd_prv_gal&utm_content=english&utm_medium=email&utm_source=govdelivery

Medicare covers the COVID-19 vaccine, so THERE IS NO COST TO YOU.

Take your red, white and blue Medicare card with

you or your Medicare number to your vaccination appointment so your healthcare provider or pharmacy can bill Medicare.

After you're vaccinated, it is still vital that you wear a mask, wash your hands, and maintain physical distance to protect yourself and others.



MYMEDICARE.GOV—

[MyMedicare.gov](#) has now been integrated into the [Medicare.gov](#) website. If you type MyMedicare.gov into the URL, it will still take you to the login.

To log in, simply type in <https://www.medicare.gov/account/login/> to log in **or** create a new account to view your personal Medicare Summary Notices and all other information related to your personal Medicare coverage.

Here's what you should see...

Medicare.gov

Log in

No account? Get a more personalized experience - [create an account now.](#)

USERNAME

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Log in

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PODCAST

Protecting Yourself from Medicare Fraud - Aired February 4, 2021

In this episode, learn all about how to protect, detect, and report Medicare fraud.

LISTEN: <https://anchor.fm/uamsagewise/episodes/Protecting-Yourself-from-Medicare-Fraud-eq4h70>

Because of our new partnership with UAMS' Arkansas Geriatric Education Collaborative (AGEC), we were fortunate to be invited to present on their Podcast Series, Age Wise. Please see below for information on this series and listen in on various topics—you will learn A LOT! Go to: <https://anchor.fm/uamsagewise/episodes>

UAMS AGEC Podcast Series – *Age Wise* (a podcast on Anchor by Spotify)

America's population is aging rapidly, and this podcast is here to dive deep into the challenges facing the older population. Experts from the Arkansas Geriatric Education Collaborative (AGEC) at the University of Arkansas for Medical Sciences (UAMS) talk about a variety of topics related to healthy aging. The AGEC's mission is to provide high-quality programs that support healthy aging in Arkansas. The AGEC is funded by the Health Resources & Services Administration's Geriatric Workforce Enhancement Program - COVID grant #T1MHP39072-01.

Website: agec.uams.edu

FREE online programs: <https://patientslearn.uams.edu/agec/>

Facebook: facebook.com/uamsagec

Twitter: @uams_agec

Instagram: @uams_agec

Solutions to help reduce COVID-19 vaccination ageism

Senior Walk-In and Drive-Thru Hours for COVID-19 Vaccinations Are Needed

Ageism in the COVID-19 vaccination rollout can be reduced by prioritizing older adults and having walk-in and drive-thru vaccination sites for them, says Sheri Levy, a psychology department professor at Stony Brook University who focuses on ageism. Levy also suggests having vaccination hotlines for scheduling appointments for older adults, as well as increasing vaccinations at skilled nursing facilities and community centers and for those receiving home care.

SOURCE: Feb 03, 2021 *Psychology Today*:

<https://www.psychologytoday.com/ca/blog/taking-ageism-seriously/202102/senior-walk-in-and-drive-thru-hours-covid-19-vaccinations-are>

How can I replace my Medicare card?

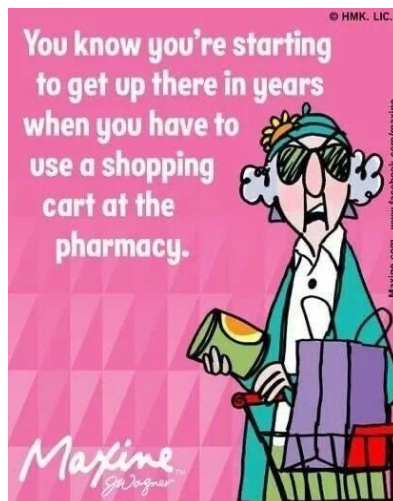
If you need to replace your card because it's damaged or lost, **sign-in** or **create** an account on [Medicare.gov](https://www.medicare.gov) to print an official copy of your Medicare card.

If you need to replace your card because you think that someone else is using your number, call to report:

1-800-MEDICARE
(1-800-633-4227)

TTY users can call
1-877-486-2048.

FEEL FREE TO CALL THE
AR SMP FOR ASSISTANCE!
866-726-2916



**Attend SMP's
FRAUD FACT FRIDAY
to hear the latest
fraud and scam alerts!**

For more information:

Call

866-726-2916 or

Email

kathleen.pursell@dhs.arkansas.gov

The Arkansas Senior Medicare Patrol (SMP) is a federal grant program administered by the AR Department of Human Services Division of Aging, Adult & Behavioral Health Services. This project was supported in part by grant number 90MPPG0031 from the U.S. Administration for Community Living (ACL), a Department of Health and Human Services.

Our job is to help Medicare Beneficiaries make informed decisions about Medicare.

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- SHIIP Counselors provide confidential and personalized information about Medicare Coverage.
- SHIIP Counselors help Medicare Beneficiaries review and compare plans including Medicare Drug Coverage, Medicare Advantage Plans, and Medicare Supplement Insurance (Medigap).
- SHIIP can help you enroll in the Medicare Drug Coverage (D), and Medicare Advantage Plans (C).
- SHIIP Counselors can assist in Medicare billing dispute issues.
- SHIIP has opportunities for volunteer crew members.

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- Curious about ways to save money with Medicare?
- Unsure you are in the most cost effective Medicare Part D Prescription Drug Plan?
- Interested in learning more about Medicare Advantage Plan (Part C)?
- Needing information on a Medicare Supplemental Insurance (Medigap) Policy?
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Alan McClain, Commissioner
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This publication was created by the State of Arkansas with financial assistance, in whole or part, through a grant from the Administration for Community Living, an agency of the U. S. Department of Health and Human Services.



Call or email the Arkansas SMP if you have questions, are interested in volunteering, or would like to schedule a free speaker.

VOLUNTEERS NEEDED

866-726-2916 Darwina.Edwards@dhs.arkansas.gov

WHO ARE WE?

The Arkansas Senior Medicare Patrol (AR SMP) is ready to provide you with the information you need to PROTECT yourself from Medicare fraud, errors, and abuse; DETECT potential fraud, errors, and abuse; and REPORT your concerns. SMPs help educate and empower Medicare beneficiaries in the fight against healthcare fraud. Your SMP can help with your questions, concerns or complaints about potential fraud issues and errors. We also provide free informational and educational presentations in your area.

AR SMP
866-726-2916

www.facebook.com/arsmp

Website: ar.gov/smp

Program Director:

Kathleen.Pursell@dhs.arkansas.gov

Bill to curtail scams on seniors unveiled

[BusinessTalk Politics](#)

by [Marine Glisovic](#), 3/31/2021

KATV, Seven OnYourSide

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Arkansas lawmakers want to make it more difficult for scammers who target senior citizens.

A bill filed this week would create a reporting system that involves financial institutions and investigative authorities.

Co-sponsor of HB 1391, Rep. Carlton Wing, R-North Little Rock, said he was inspired to file the bill after his Sunday school teacher was duped.

"In the later stages of her life, she fell victim to a trick – somebody had convinced her that she had won the lottery – and what happened was a huge financial ruin as it went deeper and deeper," Wing said.

Wing along with another co-sponsor of the bill, Sen. Jonathan Dismang, R-Beebe, and Attorney General Leslie Rutledge, R-Ark., held a press conference announcing the bill's purpose on Wednesday (March 31).

The SAFER AR Act, Safeguarding Against Financial Exploitation of Retirees for Arkansas, would create a reporting system and halt transactions.

"All along the steps, these financial institutions are aware that something fishy is happening, but they don't exactly have a uniform way to let the right people know and the same thing with adult protective services," Wing said. "So we have created this reporting mechanism so that they come in together and share this information and that helps us stop the bad guys soon."

Betty Underwood, a 79-year-old Arkansan, attended the conference and shared her stories of almost being scammed, including when a contractor used her bathroom and stole what he thought was a credit card – instead it was a debit card. "I was very fortunate, I found out about it before other things were taken and I was very fortunate," said Underwood.

Rutledge said this bill will hopefully create a system that will allow for quicker investigations of scammers.

"We receive 2,000-3,000 calls per week here at the Arkansas Attorney General's Office, but unfortunately these crimes and fraud against Arkansas retirees and elderly are greatly underreported, only one in 44 instances are reported," she said. Along with investigations being launched quicker, this bill would help banks halt transactions.

"A suspicious transaction can be held – that's step number one – and step number two is the right authorities are notified that something suspicious is taking place and it gives them time to investigate," Wing added.

SOURCE: TALK BUSINESS & POLITICS
<https://talkbusiness.net/2021/03/bill-to-curtail-scams-on-seniors-unveiled/>

This story first appeared at Talk Business & Politics (talkbusiness.net), and is reprinted with permission.



REPORT MEDICARE AND COVID 19 FRAUD

TERMINOLOGY—

“SMISHING”...

This is a form of “phishing” when the sender (tech-savvy con artist) uses a text message or SMS message (Short Message Service) to trick you into giving your personal information or money!

Smishing is an emerging threat in online security because most people are aware of the security risks involved with clicking on links in emails, but are more inclined to trust a text message.

What Is Social Engineering?

- It’s an art -- of manipulating people into saying or doing something that reveals confidential information or access to it.
- It relies on people’s natural helpfulness and our weaknesses.
- It is sometimes called a "con game."

Criminals use social engineering tactics because it is usually easier to manipulate your natural inclination to trust than it is to discover ways to hack your software.



Date: March 19, 2021

The Administration for Community Living (ACL) has recently learned that beneficiaries are being asked for their Social Security number during COVID-19 vaccination appointments.

CMS provided the following guidance to confirm that this does not in itself suggest fraudulent behavior:

If you only have Part A Medicare coverage, you may have additional insurance that covers Part B services, like vaccine administration. If so, your provider may submit your COVID-19 vaccine administration claims to that insurance company.

If your insurance does not cover COVID-19 vaccine administration services, your provider may request payment through the [Provider Relief Fund](#).

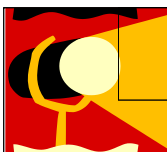
If you have a Medicare Advantage Plan (Part C), your Part B services will be paid by that plan using your Medicare number to bill Original Medicare.

You should show your Original Medicare card at the time of your vaccine appointment (red, white, and blue Medicare card) even if you are in a Medicare Advantage Plan.

If you do not have your Original Medicare card with you at the time of your vaccine appointment, the provider may use your Medicare number or Social Security number to look it up using the MBI look-up tool. They will need your first and last name, date of birth, and social security number.

REMEMBER, you should bring your Medicare card with you when you register to receive the vaccine and when you go to get the vaccine(s). **IF YOU SHOW YOUR MEDICARE CARD, THEY SHOULD NOT ASK FOR YOUR SOCIAL SECURITY NUMBER/CARD. DO NOT GIVE IT TO THEM.**

IF YOU ARE ASKED FOR YOUR SOCIAL SECURITY NUMBER DURING A VACCINATION APPOINTMENT—IF YOU HAVE ALREADY GIVEN THEM YOUR MEDICARE NUMBER/CARD, THIS MAY SUGGEST POSSIBLE FRAUDULENT ACTIVITY. THEY DO NOT NEED BOTH.



SMP VOLUNTEERS IN THE SPOTLIGHT!

Really
Special
and
Valuable
People!

COVID Free & We Keep Moving Forward!! -

by Evelyn Canady, SMP Ambassador, Woodland Heights

Do you remember when you first heard of Covid-19? It was on March 11, 2020 at the monthly nurses group meeting with Kathleen Pursell, Program Director of the Arkansas SMP Program. We were discussing our information when questions came up about the "VIRUS". I called our executive director here at Woodland Heights and asked her to come to the meeting with information about the "VIRUS". The corporate office was contacted and staff as well as residents of Woodland Heights were given the following directives: practice social distancing, hand washing, usage of hand sanitizer, meals to be delivered to our apartments, and no social interactions between residents. We as SMP volunteers pass out information that is provided at our meetings to keep our residents informed. In 2013 our volunteer group took part in a SMP commercial on TV to recruit volunteers in Arkansas. We were shown going door-to-door & sharing information with other residents. Since that time the face of volunteering as a whole has drastically changed!

All summer through early fall we have been stuck in our apartments except for essential services. Thankfully the Woodland Heights staff have been diligent about carrying out directives and keeping the residents safe here. Scamsters on the other hand have not held back!!

Under my direction as a SMP Ambassador, we have continued to disseminate vital SMP materials during this pandemic. I have been given the opportunity to give a brief SMP Scam Alert update at each resident's meeting which keeps us all in the know.

The information we have continued to share each month of 2020 on scams and potential fraud are: Stimulus checks, Contact Tracing, COVID-19 Testing, DME, How to Report Fraud, New Improved Medicare Card, SSA Imposters, Telehealth, and Open Enrollment. All residents and staff remain COVID free and thanks to SMP and our volunteers in the nurses group we are protected from scamsters... and we keep moving forward!



TEAM MEMBER SHOWCASE IN OUR STATE—Texarkana, AR *Boots on the Ground...Moving the Message Around!!!*

Before COVID, the UAMS Texarkana Regional Center on Aging could deliver SMP programs in person. This pandemic has significantly impacted everyone in our state! Volunteers have always been an effective way to get SMP fraud information out into the communities in the (8) counties we service.

Many of our volunteers have been able to safely disseminate SMP information safely to their family, friends, and neighbors.

I wanted to take the time to highlight a few of them and the efforts they are making as our *Boots on the Ground* who continue promotion of the SMP protect, detect, and report message.

Lola Purifoy delivers SMP information to the residents in her senior living community. Glenda Donaldson picks up the phone and makes calls to her friends and neighbors with the latest fraud information. Nancy Bailey sends out emails with up-to-date SMP fraud information.

Yours truly? Meaning me... I've posted SMP scam / fraud alerts on MyStory Facebook page. Together we are moving this message AROUND!!



KaSandra Guilbeau, MPH
Program Director
UAMS Texarkana Regional CoA

Thank You



**VOLUNTEERS
NEEDED**

INTERESTED?

Call Dee—866-726-2916 or

Email: Darwina.edwards@dhs.arkansas.gov

TEAM MEMBER SHOWCASE IN OUR STATE—White Hall, AR *Virtual Volunteering is Fun!!!*

I started recording SMP Scam Alerts last year from the UAMS South Central Center on Aging as a way of reaching out to our community virtually during the COVID-19 pandemic.

Since we are all social distancing to stay safe, I needed a new way to present this important information. Many of us are staying connected via social media, so a video presentation seemed appropriate. It only takes a few minutes to prepare for a presentation.

I just start with the monthly SMP Scam Alert, pick out the key points that I want to cover in my video, and re-word for my script. Most of the time I spend on my videos is re-recording when I mess up! The more videos I record, the easier it gets. I think anyone with a cell phone or laptop can do a virtual presentation! Just set up your device... hit record... introduce yourself... and go!



Charlotte Clausen,
Administrative Coordinator

Elder LGBTQ Information

The AR SMP partners with Spinstervillage a non-profit, women-centered organization providing community, education, and social activities in Fayetteville AR. For more information:

→ <https://nwaequality.org/programs-community-connections/spinstervillage-elder-tree/>

→ <https://www.facebook.com/spinstervillagedeldertree/>

Many LGBTQ Seniors Don't Get The Health And End-Of-Life Care They Need. Some Coloradans Are Working To Change That

January 22, 2021

By Claire Cleveland
General Assignment Reporter
Colorado Public Radio

(<https://www.cpr.org/author/claire-cleveland/>)

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On one of her many days in the hospital in 2017, Cathy asked her partner not to tell the nursing staff they were married. She'd been diagnosed with a rare form of leukemia, and Cathy feared the care she got would suffer if the staff knew she was a lesbian.

"She says, 'Don't tell the nurses that we're married,'" said Cathy's wife, Esther Lucero. "And I said, 'Why?' And she says, 'Because they're treating you differently. They're treating me differently.'"

According to a [study recently published in The Gerontologist](#), older people who are lesbian, gay, bisexual, transgender or queer often face discrimination during end-of-life care. They're also more likely to have their health care wishes ignored or disregarded.

Many LGBTQ seniors go back into the closet because of a lack of family or social support in health care, assisted living and hospice facilities.

In the hospitals, Lucero initially told health care staff that Cathy was her wife. She said some responded well, while others seemed off-put. And that bothered Cathy. Looking back, Lucero said she thought they were treated differently at times because they were gay. One nurse seemed to avoid Cathy's room. And sometimes others would wait for Lucero to leave before telling Cathy details about her condition.

"I was hurt," Lucero said. "We had waited so long to be married. And to me, it was like, 'Hey, I'm married to her.' And it just hurt. I don't even know how to say it. I know I cried that night."

Lucero met Cathy in 1980 while they worked together in Denver. At first, they were friends.

"It was nothing at the beginning," Lucero said. "But she told me, 'The first day I met you, I said I want to spend the rest of my life with that girl.'"

After a few years, they started dating. Then they moved in together and bought a house. In 2015, they got married. But a couple years later, they both got sick with what seemed like bad colds. Lucero improved, but Cathy got sicker. After a few trips to the hospital, a doctor finally discovered Cathy had T-cell prolymphocytic leukemia. She died six months later at age 63.

Esther Lucero holds a picture of her late wife Cathy in Denver's Cheesman Park on Thursday, Jan. 21, 2021. The two were married in the park three years ago.

The loss devastated Lucero, who had few places to turn for support. CPR News agreed not to use Cathy's last name because Lucero said she was very private about being a lesbian. Lucero said they never held hands or kissed in public. Their families knew they lived together, but some thought it was just as roommates. Other relatives refused to discuss or accept that they were in love. They'd also kept their relationship a secret from a lot of colleagues and neighbors.

That's common for older LGBTQ adults, said [Carey Candrian](#), an assistant professor and researcher at the University of Colorado. And many feel isolated, she added.

"And I just get chills when I say that, because I think for people who don't identify as LGBT, I think it's so easy to forget the work that hiding requires," Candrian said.

During her early research, Candrian shadowed a hospice worker at a potential patient's home. The worker asked the woman questions from a form, like: Are you married? Do you have children? Who cooks for you? Who cleans?

The woman said she was not married and had no children. She pointed out her roommate, who was in the room, and said she made the meals, cleaned the house and took care of her. After the hospice worker left, Candrian interviewed the women. She revealed that they were more than roommates — they'd been in a romantic relationship for 28 years. That's when something clicked for Candrian.

"So much of it could have changed through the talking and listening," she said. "I really became deeply committed to improving health equity and really improving the way we communicate, the way we talk and listen to older LGBT adults, knowing that it really can make a measurable difference in the care they receive and in their outcomes."

One study, from [the Columbia University Mailman School of Public Health](#), found living in highly stigmatized environments can result in a shorter life expectancy of around 12 years for LGBTQ people.

Candrian said the challenges these seniors face fall into three categories: economic insecurity, lack of family or social support, and a lifetime of enduring stigma. But there's also a lack of data. Hospice and senior care facilities often don't ask about specific demographic information like sexual orientation or gender identity, [known as SOGI data](#).

"It's really hard to meaningfully address disparities because we're not able to know what's happening to this community from a data perspective," she said. "Which means we're not really able to ever develop interventions that are specifically tailored for this population."

Candrian is working to train staff at six facilities around the Denver area run by the nonprofit [Christian Living Communities](#). The goal is to make them

more aware of LGBTQ seniors and provide a safe space for them to be more open as a way to change the culture.

One of those facilities, Dayspring Villa, started what it calls an "LGBT Plus Friends Group" as a way to make those residents feel welcome.

"The vast majority of people who are LGBTQ, who look for senior living, go back into the closet in order to feel that they won't be discriminated against or so that they'll be accepted by their neighbors," administrative coordinator Stormie Foust Maley said.

During the first LGBT Plus Friends meeting, Foust Maley was surprised to see one resident in particular. She said the man was more reserved and opinionated than other residents, and she worried he might be there to express discontent with the group.

"He shared a deeply moving story about how he was gay, and he had to fight a dishonorable discharge from the Navy and hadn't felt accepted by his parents," Foust Maley said. "He had like marched in the streets for equality, and I had known this man for five years and I had no idea. I thought he was there to start trouble, and he needed it more than anyone."

When they surveyed LGBTQ residents about how to make a more inclusive environment, Foust Maley said the number one request was the ability to identify as LGBTQ and be affirmed and accepted by the staff that they told.

With support from a Colorado Health Foundation grant, the staff is working to make that a reality by creating a video that focuses on LGBTQ competency training from [the nonprofit Sage](#). Foust Maley hopes this leads to more of these seniors getting proper care and equal treatment, she said.

"And if we can help make this process easier for other people or inspire other people to do this work, it's a lofty goal, but that would be amazing."

Reynaldo Mireles, director of elder services for [Sage of the Rockies](#), a local chapter, said improving communication and data collection is only the first step.

"We're not going to stay in the closet," he said. "I want people to really know that they matter and that those closet doors need to be wide open and left wide open."

Mireles thinks a lot about what it will be like when he and his husband are older and looking for senior community or assisted living. And those places need to be welcoming to diverse communities, he said, which will take a nationwide effort to ensure better protections for LGBTQ people, especially seniors.

"We need to educate policy makers about LGBT aging issues," he said.

SOURCE: <https://www.cpr.org/2021/01/22/many-lgbtq-seniors-dont-get-the-health-and-end-of-life-care-they-need-some-coloradans-are-working-to-change-that/>

Photos by Hart Van Denburg/CPR News



Two Defendants Plead Guilty to Multi-Million Dollar Medicare Fraud Scheme

DOJ / Jan 20, 2021 / Providing Braces to Medicare Beneficiaries is Big Business...

BOSTON – A Colorado woman and a Florida woman pleaded guilty to a multi-million dollar Medicare fraud scheme submitting more than \$109 million in false and fraudulent claims for durable medical equipment (DME) such as arm, back, knee and shoulder braces, by establishing shell companies in more than a dozen different states.

The two women purchased Medicare patient data from foreign and domestic call centers that targeted elderly patients, and instructed call centers to contact the Medicare beneficiaries with an offer of ankle, arm, back, knee and/or shoulder braces “at little to no cost.” No DME was provided for more than \$7.5 million in claims.

Medicare claims were submitted for those patients and others, including deceased patients, without obtaining a prescriber’s order to ensure that the braces were medically necessary. The two women further facilitated the fraud by answering frequent phone calls from Medicare patients who received DME that they did not request, want or need.

SOURCE: <https://www.justice.gov/usao-ma/pr/two-defendants-plead-guilty-multi-million-dollar-medicare-fraud-scheme#:~:text=Two%20Defendants%20Plead%20Guilty%20to%20Multi%20Million%20Dollar%20Medicare%20Fraud%20Scheme,-BOSTON%20%E2%80%93%20A%20Colorado&text=Jones%20and%20Putulin%20conspired%20with,back%2C%20knee%20and%20shoulder%20braces.>

Pharmacy Involved in Health Care Fraud and Kickback Scheme

CALIFORNIA—A pharmacy owner pleaded guilty of a scheme involving kickbacks in reimbursements for compounded drugs in exchange for patient referrals and paying beneficiary co-pays because patients often cannot afford the copay for such expensive compounded medications. Those involved provided preprinted prescription script pads selecting the compounded drugs with the highest reimbursement rates, receiving approximately \$14 million in reimbursements for the compounded drug prescriptions.

SOURCE: <https://westsidetoday.com/2021/02/18/westside-pharmacy-involved-in-health-care-fraud-and-kickback-scheme/>

Fraudulent Replication of Website—Purporting to Sell COVID-19 Vaccines

MASSACHUSETTES— In January, Homeland Security Investigations became aware of a fraudulent replication of the website for a biotech company in Massachusetts that among other things, focuses on vaccine technologies, including for COVID-19. The legitimate company’s website provides information to the public on the products the company has developed, or is in the process of developing, including those focusing on combating the COVID-19 pandemic.

The home page of the fake website, appeared similar to the real website displaying the same name and logo, markings, colors and texts ... that the creator of the fake site used a website tool to copy the actual website in order to create the fake domain.

However, what led to them being caught was the fraudulent language on the fake website’s homepage stating: “YOU MAY BE ABLE TO BUY A COVID-19 VACCINE AHEAD OF TIME,” and it included a link to “Contact us.”

SOURCE: <https://www.justice.gov/usao-md/pr/three-baltimore-area-men-facing-federal-charges-fraud-scheme-purporting-sell-covid-19>

Doctor Sentenced to Prison for Role in Unlawful Distribution of Controlled Substances

OHIO—A physician was sentenced to 40 months in prison for routinely prescribing dangerous combinations of controlled substances known to heighten the risk of overdoses and death to patients in amounts and for lengths of time that were outside the scope of legitimate medical practice.

SOURCE: <https://www.justice.gov/opa/pr/doctor-sentenced-prison-role-unlawful-distribution-controlled-substances>

Doc Indicted for Manslaughter After Patient's Overdose

NEW YORK—A primary care physician was indicted on charges of manslaughter in the second degree after one of his patients died of an opioid overdose after being allegedly prescribed a toxic mix (more than 10 times the CDC’s recommended dosage amounts) of opioids and other controlled substances. The physician knew his patient had been suffering from addiction for a decade. The physician also filed claims to Medicare for these medically unnecessary prescriptions that led to his patient’s death by overdose.

SOURCE: https://www.medpagetoday.com/special-reports/exclusives/91358?xid=nl_mpt_DHE_2021-02-26&eun=g1448409d0r&utm_source=Sailthru&utm_medium=email&utm_campaign=Daily%20Headlines%20Top%20Cat%20HeC%20%202021-02-26&utm_term=NL_Daily_DHE_dual-gmail-definition

Pharmacy owner and accountant indicted in \$134M health care fraud scheme

DOJ / March 9, 2021

HOUSTON – Two Houston area men, one the owner of several area pharmacies and the other his accountant and tax preparer were charged with an eight-count indictment alleging the two committed health care fraud relating to a pharmacy fraud scheme using an outbound telemarketing call center that solicited Medicare, Medicaid and commercial insurance patients nationwide – many over the age of 55. Call center employees allegedly offered patients medically unnecessary diabetic supplies and topical creams although many refused the solicitations.

The scheme also involved sending fax requests to doctors for prescriptions that patients often did not authorize, and request were also sent to doctors for deceased patients.

The pharmacies collectively received over \$134 million in payments from Medicare and other healthcare benefit programs based on fraudulent claims. This money was spent to buy a \$1.5 million residence, \$15 million in gambling and casino expenses, and purchases of Ferrari and Bentley automobiles.

SOURCE: <https://www.justice.gov/usao-sdtx/pr/pharmacy-owner-and-accountant-indicted-134m-health-care-fraud-scheme>

Be aware of **SCAM(s)**:

Report all scams to the Arkansas SMP — **1-866-726-2916**

FCC SCAM GLOSSARY

If you receive a call that you suspect may be a scam, check out the link to the Federal Communications Commission (FCC's) SCAM GLOSSARY to determine if it is a scam call:

<https://www.fcc.gov/scam-glossary>

The FCC Scam glossary is a list of at least 50 phone-based scams—it describes robocall scams, spoofing scams and related consumer fraud which the FCC tracks through complaints filed by consumers and notices from other government agencies and consumer groups.

Check this out: ASL Video Library at:
<https://www.fcc.gov/asl-video-library>

You are NOT getting a new Medicare card



**NOT WITH A
MICROCHIP**



**NOT BECAUSE
IT'S 2021**



**NOT BECAUSE
OF COVID-19**

SPOTTING VACCINE SCAMMERS

<https://www.wtvr.com/news/coronavirus/vaccine-phone-scam>

COVID-19 vaccine phone scam targets seniors: If anyone asks for a credit card number, hang up!

STOP.

Don't wire money.

Don't pay with a prepaid debit card.

Don't fall victim.

SS IMPOSTER SCAM.

REAL INSIGHT INTO THIS SCAM AND HOW EASY IT IS TO FALL VICTIM.

PLEASE LISTEN to this AARP The Perfect Scam Podcast:

<https://www.aarp.org/podcasts/the-perfect-scam/info-2020/machel-andersen.html>

The most effective way to defeat scammers is to know how to identify scams. You should just hang up on any call you're uncertain of and ignore suspicious emails. Scammers are always finding new ways to steal your money and personal information by exploiting your fears.

One common tactic scammers use is posing as federal agents and other law enforcement. They may claim your Social Security number is linked to a crime. They may even threaten to arrest you if you do not comply with their instructions. Just **hang up**.

As a reminder, you should continue to remain vigilant of phone calls when someone says there's a problem with your Social Security number or your benefits. If you owe money to Social Security, we will mail you a letter explaining your rights, payment options, and information about appealing.

There are a few ways you can identify a scam call. If you do business with us, remember that we will never:

- Threaten you with benefit suspension, arrest, or other legal action unless you pay a fine or fee.
- Promise a benefit increase or other assistance in exchange for payment.
- Require payment by retail gift card, cash, wire transfer, internet currency, or prepaid debit card.
- Demand secrecy from you in handling a Social Security-related problem.
- Send official letters or reports containing personally identifiable information via email.

If you get a suspicious call claiming to be from Social Security, you should **hang up** and report it to the SSA [Office of the Inspector General](#).



JOIN US for SMP's "FRAUD FACT FRIDAY"

Fraud Fact Fridays are 15-minute Zoom meetings, with Q & A following each meeting. These will be scheduled on various Friday's at 10 a.m. each month.

You will receive an invitation to attend prior to each event. You will simply click on the link to attend. It's easy!

We will use this time to inform you of the latest scams and other current Medicare topics. Most importantly, you will have the opportunity to tell us of any scams you have experienced, ask questions, and share any other Medicare-related concerns or other information with attendees.

Mark your calendars to join on Friday mornings at 10 a.m. for SMP's Fraud Fact Friday!

IF YOU ARE INTERESTED IN RECEIVING A NOTIFICATION OF THE FRAUD FACT FRIDAY ZOOM MEETINGS, PLEASE EMAIL:

Kathleen.Pursell@dhs.arkansas.gov or call 866-726-2916. We will need your email address or phone number to send you the link.



www.facebook.com/armp

www.Facebook.com/Medicare

HEALTH CARE FRAUD STRIKE FORCE

Since its inception in March 2007, the Health Care Fraud Strike Force, which maintains 15 strike forces operating in 24 districts, has charged more than 4,200 defendants who have collectively billed the Medicare program for approximately \$19 billion.

The U.S. Department of Health and Human Services (HHS) Centers for Medicare & Medicaid Services, working in conjunction with the HHS-Office of Inspector General, are taking steps to increase accountability and decrease the presence of fraudulent providers.

THE POWER OF YOU
WEAR A MASK
WASH YOUR HANDS
WATCH YOUR DISTANCE

U.S. House Passes Historic Equality Act Protecting LGBTQ People

HEADLINE FEB 26, 2021

Legislation that amends the 1964 Civil Rights Act was passed by the U.S. House. The Equality Act adds sexual orientation and gender identity as protected groups against discrimination for LGBTQ people at the workplace, in housing, education, among other areas.

Below is a quote from Democratic Congressman Mondaire Jones of New York — who is among the first Black, openly gay men to be elected to Congress:

"To grow up poor, Black and gay is to not see yourself anywhere. It is also to feel completely unseen as so many people around you invalidate your very existence.

...

Today we send a powerful message to millions of LGBTQ people around the country, and indeed around the world, that they are seen, that they are valued, that their lives are worthy of being protected."

SOURCE: https://www.democracynow.org/2021/2/26/headlines/us_house_passes_historic_equality_act_protecting_lgbtq_people

REPORT SUSPECTED *MEDICAID* FRAUD to the AR MEDICAID INSPECTOR GENERAL (OMIG) HOTLINE

— 855-527-6644 or online at: <http://omig.arkansas.gov>

IMPORTANT PHONE NUMBERS:

AANHR—AR Advocates for Nursing Home Residents **501-607-8976**
AFMC—AR Foundation for Medical Care **1-888-354-9100**
Area Agency on Aging **1-800-986-3505**
AG-Attorney General (Consmr Prot Div) **1-800-482-8982**
AG Medicaid Fraud Hotline **1-866-810-0016**
APS—Adult Protective Services (DHS) **1-800-482-8049**
Alzheimer's Arkansas **501-224-0021**
Arkansas Rehabilitation Services **1-800-981-4463**
AR SMP (Healthcare Fraud Complaints) **1-866-726-2916**
Better Business Bureau (BBB) **501-664-7274**
CMS—(Medicare)—(Centers for Medicare and Medicaid Services)
(1-800MEDICARE) **1-800-633-4227**
Community Health Centers of AR **1-877-666-2422**
Coordination of Benefits **1-855-798-2627**
DHS (Customer Assistance Unit) **1-800-482-8988**
DHS Resource Center **1-866-801-3435**
Do Not Call Registry **1-888-382-1222**
Elder Care Locator **1-800-677-1116**
El Dorado RSVP **1-870-864-7080**
Federal Trade Commission
Report STOLEN IDENTITY **1-877-438-4338**
ICan—Increasing Capabilities Access Network **501-666-8868**
KEPRO -AR QIO(Quality Improvmnt Org.) **1-844-430-9504**
LGBT Elder Hotline **888-234-SAGE**
Medicaid—(Claims Unit) **1-800-482-5431**
Medicaid Inspector General (OMIG) **1-855-527-6644**
MEDICARE (CMS 1-800MEDICARE) **1-800-633-4227**
Medicare Part D **1-877-772-3379**
Medicare Rights Center **1-800-333-4114**
Mid-Delta Community Consortium **1-870-407-9000**
Oaklawn Foundation/Center on Aging **501-623-0020**
OIG-Nat'l Medicare Fraud Hotline **1-800-HHS-TIPS**
(OIG) Office of Inspector General **1-800-447-8477**
OLTC—Office of Long Term Care **1-800-LTC-4887**
OLTC—Abuse Complaint Section **501-682-8430**
Ombudsman—State Ofc of Long Term Care **501-682-8952**
Resource Center (ADRC) **1-866-801-3435**
(DHS'S Choices in Living Resource Center)
RSVP of Central Arkansas **501-897-0793**
SHIIP (Senior Health Ins. Info Program) **1-800-224-6330**
SMP Locator—(locate an SMP outside AR) **1-877-808-2468**
SSA (Social Security Administration) **1-800-772-1213**
Little Rock Office **1-866-593-0933**
SSA Fraud Hotline **1-800-269-0271**
South Central Center on Aging **1-866-895-2795**
South East AR Center on Aging **1-870-673-8584**
Texarkana Regional Center on Aging **1-870-773-2030**
Tri-County Rural Health Network **1-870-338-8900**
UALR Senior Justice Center **501-683-7153**
UofA Cooperative Extension Service **501-671-2000**

HELPFUL WEBSITES:

ADRC—AR Aging & Disability Resource Center (DHS)—
www.choicesinliving.ar.gov/
AR Advocates for Nursing Home Residents
(AANHR)—www.aanhr.org; e-mail: Info@aanhr.org
AR Long Term Care Ombudsman Program—
www.arombudsman.com
Arkansas Aging Initiative—<http://aging.uams.edu/?id=4605&sid=6>
Arkansas Attorney General—www.arkansasag.gov
Arkansas Attorney General Consumer Protection Division—e-mail: consumer@ag.state.ar.us
Area Agencies on Aging—www.daas.ar.gov/aaamap.html
Arkansas Foundation for Medical Care—www.afmc.org
Arkansas SMP—www.ar.gov/smp
BBB (Better Business Bureau)—scams and alerts—
<https://www.bbb.org/scamtracker/arkansas/>
CMS (Medicare) Centers for Medicare and Medicaid Services—
www.cms.hhs.gov
Do Not Call—www.donotcall.gov
Do Not Mail—www.DMAchoice.org
Elder Tree / Spinsterhaven—Spinsterhaven@gmail.com
Elder Care Locator—www.eldercare.gov
H.E.A.T—www.stopmedicarefraud.gov/
(Healthcare Fraud Prevention and Enforcement Action Team)
LGBT—National Resource Center on LGBT Aging
<https://www.lgbtagingcenter.org/about/updatesProcess.cfm>
MEDICAID—www.Medicaid.gov
MEDICAID INSPECTOR GENERAL (OMIG)—
<http://omig.arkansas.gov/fraud-form>
MEDICARE—www.medicare.gov
Medicare Interactive Counselor—
www.medicareinteractive.org
Hospital Compare—www.hospitalcompare.hhs.gov
MyMedicare.gov—www.mymedicare.gov
(Access to your personal Medicare claims information)
MyMedicareMatters.org (National Council on Aging)
Office of Long Term Care—[http://](http://humanservices.arkansas.gov/dms/Pages/oltcHome.aspx)
humanservices.arkansas.gov/dms/Pages/oltcHome.aspx
Office of Inspector General (OIG)—email:
HHSTips@oig.hhs.gov
Pharmaceutical Assistance Program—
medicare.gov/pap/index.asp
Physician Compare—www.medicare.gov/find-a-doctor
AR SHIIP—<https://insurance.arkansas.gov/pages/consumer-services/senior-health/>
SMP Locator—SMPResource.org (locate an SMP outside of AR)
Social Security Administration (SSA)—www.ssa.gov
SSA OIG—Report SS Fraud—<https://oig.ssa.gov/report>
TAP—www.arsinfo.org (Telecommunications Access Program)
UofA Cooperative Extension Service—www.uaex.edu



SENIOR MEDICARE PATROL (SMP) MISSION

“To empower and assist Medicare beneficiaries, their families, and caregivers to prevent, detect, and report health care fraud, error, and abuse through outreach, counseling, and education.”



TO PREVENT HEALTHCARE FRAUD—

Protect Personal Information

- * Treat Medicare/Medicaid and Social Security numbers like credit card numbers.
- * Remember, Medicare will not call or make personal visits to sell anything!
- * READ and SAVE Medicare Summary Notices (MSN) and Part D Explanation of benefits (EOB), but **shred** before discarding.

Detect Errors, Fraud, and Abuse

- * Always review MSN and EOB for mistakes.
- * Compare them with your Personal Health Care Journal.
- * Visit www.mymedicare.gov to access your personal account online to look for charges for something you did not get, billing for the same thing more than once, and services that were not ordered and/or you never received.

Report Mistakes or Questions

- * If you suspect errors, fraud, or abuse, report it immediately! Call your provider or plan **first**.
- * If you are not satisfied with their response, call the Arkansas SMP.

TO RECRUIT & TRAIN VOLUNTEERS—

- * Retired seniors;
- * Retired health-care providers; or
- * Retired professionals, *e.g.*, teachers, accountants, attorneys, investigators, nurses.

To receive the **Arkansas SMP Newsletter** electronically
email: kathleen.pursell@dhs.arkansas.gov

Current and archived newsletters available at:
<https://humanservices.arkansas.gov/divisions-shared-services/aging-adult-behavioral-health-services/reports-publications/#smp-newsletter-archive>

AR SMP PARTNERS

El Dorado Connections RSVP

El Dorado, AR
870-864-7080

RSVP of Central Arkansas

Little Rock, AR
501-897-0793

Oaklawn Center on Aging Inc.

Hot Springs, AR
501-623-0020

Spinsterhaven

Fayetteville, AR
Spinsterhaven@gmail.com

Tri County Rural Health Network

Helena, AR
870-338-8900

Texarkana Regional

Center on Aging

Texarkana, AR
870-773-2030

South Central Center on Aging

Pine Bluff, AR
870-879-1440

South East AR Educ Services Coop Foster Grandparent Program

Monticello, AR
870-367-4819

Senior Health Insurance Information Program (SHIIP)

Little Rock, AR
800-224-6330



Arkansas Senior Medicare Patrol (SMP)

P. O. Box 1437—Slot W241

Little Rock, AR 72203-1437

[Facebook.com/ARSMPS](https://www.facebook.com/ARSMPS)

Website: www.ar.gov/smp

To Report Medicare Fraud, Waste & Abuse

Call the Toll-Free **Helpline** 8:00am—4:30pm

1-866-726-2916